

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RUDY TUCKER, #207829, et al.,)	
Plaintiffs,)	
)	No. 1:13-cv-823
-v-)	
)	HONORABLE PAUL L. MALONEY
TOM FINCO, et al.,)	
Defendants.)	
)	

**ORDER ADOPTING REPORT AND RECOMMENDATION AND DENYING MOTION
FOR PRELIMINARY INJUNCTION**

Plaintiff Rudy Tucker filed a motion for a preliminary injunction. (ECF No. 70.) Tucker, a prisoner under the control of the Michigan Department of Corrections, is one of ten plaintiffs in this lawsuit. In January 2014, Tucker was transferred from Lakeland Correctional Facility to another facility. Tucker believes the transfer was in retaliation for the litigation. The magistrate judge issued a report (ECF No. 72) recommending Tucker's motion for a preliminary injunction be denied. Tucker filed objections. (ECF No. 73.)

After being served with a report and recommendation (R&R) issued by a magistrate judge, a party has fourteen days to file written objections to the proposed findings and recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). A district court judge reviews de novo the portions of the R&R to which objections have been filed. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Only those objections that are specific are entitled to a de novo review under the statute. *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986) (per curiam) (holding the district court need not provide de novo review where the objections are frivolous, conclusive or too general because the burden is on the parties to "pinpoint those portions of the magistrate's report that the district court must specifically consider").

The magistrate judge concluded that the issues raised in the complaint, violations of Tucker's religious freedoms, are unrelated to the claim raised in the motion for a preliminary injunction. The Court agrees. The harm Tucker alleges he is suffering as a result of the transfer is unrelated to any of the claims raised in the complaint. *See Colvin v. Caruso*, 605 F.3d 282, 299-300 (6th Cir. 2010) ("Colvin had no grounds to seek an injunction pertaining to allegedly impermissible conduct not mentioned in his original complaint."). In his objection, Tucker acknowledges this legal principle, but does not explain how the magistrate judge erred.

Therefore, the R&R (ECF No. 72) is **ADOPTED** over objections, as the opinion of this Court. Tucker's motion for a preliminary injunction (ECF No. 70) is **DENIED. IT IS SO ORDERED.**

Date: April 7, 2014

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge